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	T	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
APPLICATION NO.	FILING DATE		10002695-1	8777	
09/882,845 06/15/2001 Doug Grumann 7590 11/12/2003 HEWLETT-PACKARD COMPANY			EXAMINER TRUONG, LECHI		
P.O. Box 272400 Fort Collins, CO 80527-2400			2126		
ron Comms, C	,0 000_1 0100		DATE MAILED: 11/12/200	03	

Please find below and/or attached an Office communication concerning this application or proceeding.

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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filed on 15 June 2001 - This action is FINAL. 2b) This action is non-final. 3 This action is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					1			
Examiner LeChi Truong 2128		Application	No.	Applicant(s)	/			
LeChi Truong 2126	Office Action Summany	09/882,845		GRUMANN, DOUG				
- The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) FROM THE MALIND DATE OF THIS COMMUNICATION. Estensions of the mary be available under the provisions of 3 CER 1.136(a). In no event, however, may a reply be timely filled Estensions of the mary be available under the provisions of 3 CER 1.136(a). In no event, however, may a reply be timely filled The period for reply speciallos above is less time intery (30) says, a reply with the statutory minimum of thirty (30) says, will be considered timely, If the period for reply speciallos down, the maximum clastory period will apply and will explicit (30) (ANONITHS from the mailing date of the communication. Fallure to signly within the set or stranded principle will be statutory period will apply and will explication to become ARANDONED (30 U.S.C. § 133). Responsive to communication(s) filled on 15 June 2001. 20	Onice Action Summary	Examiner		Art Unit				
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provides of 37 CFR 1.384a). In no event, however, may a raply be timely filed after SIX (8) MONTHS from the mailing date of this communication. If the precious or may secured active is less than the thin (30) days, a reply within the statutory minimum of thiny (30) days will be considered timely. If the precious or may secure the secure of the communication o	Period for Reply	ears on the c	over sneet with the co	orrespondence address				
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Application/Control Number: 09/882,845

Art Unit: 2126

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. Claims 1-3, 5-15, 17-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dumarot et al (US. Patent 6,059,842) in view of Seiffert et al (US. 5,729,472)

As to claim 1, Dumarot teaches enhancing performance (optimizing software, col 3, ln 10-45/ optimizing system performance, col 4, ln 56-67col 5, ln 1-25/ col 6, ln 7-55/ col 7, ln 1-67/ col 8, ln 8-57), computer system (computer, col 3, ln 10-45), system variable (a set of control parameters A1, A2, col 4, ln 56-67/col 5, ln 1-25/ col 7, ln 1-67/ color 570, col 8, ln 7-60), the performance (dynamic data 460/ M1, M2, col 5, ln 1-46/ col 7, ln 1-67), a number of rules (rules 331, 341, 351, col 7, ln 1-67, rule icons 540, col 8, ln 1-67), relationships (It A1=yes, and S1=200 or M1-90%, col 7, ln 1-67).

Dumarot does not explicit teach the term generating a number of rules. However, Seiffert teaches defining a set of watchdog rules (col 12, ln 30-67).

It would have been obvious to apply the teaching of Seiffert to Dumarot in order to improve performance of the computer system.

As to claim 2, Dumarot teaches at least in part on a performance goal (optimizing software, col 3, ln 10-45/ optimizing system performance, col 4, ln 56-67col 5, ln 1-25/ col 6, ln 7-55/ col 7, ln 1-67/ col 8, ln 8-57).

As to claim 3, Dumarot teaches part on current values of said system variable (a set of control parameters A1, A2, col 4, ln 56-67/col 5, ln 1-25/ col 7, ln 1-67/ color 570, col 8, ln 7-60), recommend (recommendation 350, col 7, ln 1-67).

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As to claim 5, Dumarot teaches acquired data (values M1, M2.. is obtained, col 5, ln 1-25).

As to claim 6, Dumarot teaches data over time (specific increments of time, col 5, ln 1025), gathering said data (the information gathered, col 7,l n 1-67), logging/ logged data (threshold distance/ (X1, X2), col 9, ln 1-40), relationship (X1, Y1, col 9, ln 1-40).

As to claim 7, Dumarot teaches discrete points in time (different points in time, col 7, ln 1-67).

As to claim 8, Dumarot teaches an event (system behavior, col 5, ln 1-25).

As to claim 9, Dumarot teaches performance of metric data (performance, col 5, ln 1-25).

As to claim 10, Dumarot teaches identifying a number of applications (a particular unique identifier 410 for a software application, col 4, ln 56-67/ col 5, ln 1-25).

As to claim 11, Dumarot teaches variable (parameter, A1, A2.., col 4, ln 56-67), the performance of said computer (increasing the apparent speed of computer, col 3, ln 9-15).

As to a method of claim 12, see the rejection of claim 1.

As to claim 13, Dumarot teaches performance metrics (performance, col 5, ln 1-25).

As to apparatus of claim 14, refer to the rejection of claim 1. Further, Dumarot program code (performs operations/ program, col 5,l n 1-25).

As to claim 15, Dumarot teaches performance goal (performance, col 5, ln 1-25).

As to apparatus of claim 17, see the rejection of claim 5.

As to claim 18, Dumarot teaches a configuration file (amount of memory, col 5, ln 1-25).

As to claim 19, Dumarot teaches monitoring (monitor program 137, col 5, ln 1-67).

As to apparatus to claim 20, see the rejection of claim 6.

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As to apparatus to claim 21, see the rejection of claim 9.

As to apparatus to claim 22, see the rejection of claim 10.

As to apparatus to claim 23, see the rejection of claim 11.

As to apparatus to claim 24, see the rejection of claim 1.

As to apparatus to claim 25, see the rejection of claim 5.

As to apparatus to claim 26, see the rejection of claim 6.

2. Claims 4, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dumarot et al (US. Patent 6,059,842) in view of Seiffert et al (US. 5,729,472) and further in view of Mihata(design rule verifying system).

As to claim 4, Dumarot does not teach iterative. However, Mihata teaches the contradictory design rule are repeated (page 1).

It would have been obvious to apply the teaching of Mihata to Dumarot in order to improve the efficiency of a correcting work.

As to claim 16, Dumarot does not teach iterative. However, Mihata teaches the contradictory design rule are repeated (page 1).

It would have been obvious to apply the teaching of Mihata to Dumarot in order to improve the efficiency of a correcting work.

3. Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

Art Unit: 2126

Fax phone: AFTER_FINAL faxes must be signed and sent to: (703) 746-2738, OFFICAL faxes must be signed and send to: (703) 746-7239, NON OFFICIAL faxes should not be signed, please send to: (703) 746-7240

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 9000.

LeChi Truong October 28, 2003

> JOHN FOLLANSBEE SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2100